

March 8, 2012

Ms Sara Bardin  
Director, Office of Zoning  
441-4th Street, N W - Suite 200/210 S  
Washington D C 20001

Re **Supplement to Request to Reopen the Record - Zoning Commission Case No 10-28 (901 Monroe Street, LLC, Square 3829)**

Dear Ms Bardin

This letter from the 200-Footers Group the sole Party in opposition in Zoning Commission Case No 10-28 (901 Monroe Street, LLC – Consolidated PUD & Related Map Amendment, Lots 3 4 11 22 & 820 Square 3829), responds substantively to the Applicant's March 1 2012 Motion to Reopen the Record and the Brookland Neighborhood Civic Association's (BNCA) March 6<sup>th</sup> Motion to Reopen the Record We request that this Supplement be included in the Record if it is reopened

Applicant's Motion

The 200-Footers Group wants to emphasize that the proffered \$350 000 addition to the project-specific benefits/amenities (undergrounding utilities on a 2<sup>nd</sup> of the 4 sides of the project) does not count as a non-project-specific community benefit/amenity As stated in the 200 Footers Group's March 1 2012 Response to the Post-Hearing Submissions the non-project specific community benefits/amenities are still woefully insufficient (see 200-Footers pp 2-4) In addition, the proffer is noncompliant and 'inconsistent' with the DC Comprehensive Plan's protective provision stating, 'Location of PUD Amenities Require that a substantial part of the amenities proposed in Planned Unit Developments (PUDs) shall accrue to the community in which the PUD would have an impact (see 200-Footers Finding of Fact #23 p 5) The additional undergrounding does not address in any way the adverse impact of the project on the 200-Footers and does not provide any required mitigation whatsoever

BNCA's Motion

The 200-Footers Group has no opinion on the BNCA's 'Corrections to the Applicant's Proposed Findings of Fact and Conclusions of Law However, the 200-Footers Group noted multiple factual errors in the Applicant's Proposed Findings of Fact and Conclusions of Law Some examples include the following

- Applicant Finding of Fact #25 (p 4) states Commercial properties are directly to the west This is inaccurate as the 200-Footers Group testified on February 2 2012 since five of the seven rowhouses include residential use (see 200-Footers Group's Finding of Fact #19)
- Applicant Findings of Fact #37f (p 11) & 74 (p 20) state The CMA is a reasonable compromise between the Applicant and the 200-Footers and 'The construction management agreement submitted by the Applicant adequately addresses the concerns of the 200-Footers

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CASE NO 10-28  
EXHIBIT NO 330  
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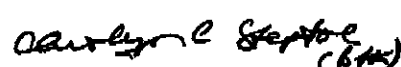
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in a way that is a satisfactory compromise between the Applicant and the 200-Footers. These are inaccurate representations as the 200-Footers Group stated in its March 1, 2012 Response to Post-Hearing Submissions (see 200 Footers pp 4-5)

- Applicant Conclusion of Law #6 (p 21) states "The proposed height and density of the buildings in the Project will not cause a significant adverse effect on any nearby properties." This is inaccurate as the 200-Footers Group testified on February 2, 2012. Also see the 200-Footers Group's March 1<sup>st</sup> Finding of Fact #19 (p 4)
- Applicant Conclusion of Law #13 (p 23) states "The Commission also finds that the Applicant worked with the ANC to resolve differences. There is nothing in the record to support this Conclusion and the 200 Footers Group has no idea what was resolved."

If any additional information is needed, Barbara Kahlow can be reached during the day on (202) 965-1083.

Sincerely,

   
Barbara F. Kahlow Carolyn C. Steptoe (b7c)